

Notice of Allowability

Application No.

10/531,398

Examiner

Jason Crawford

Applicant(s)

HUITSING, ALBERT JAN

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/9/2006.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

Claims 1-11 are allowed. The following is an examiner's statement of reasons for allowance:

In regards to Claim 1, the prior art of record does not directly disclose of a method for producing a fail-safe output signal in case of an open circuit condition of an input pad of a digital circuit unit comprising providing a constant switch level in a first inverter stage, providing a variable switch level in a second inverter stage that depends on the signal level of the input pad, comparing the constant switch level of the first inverter stage with the variable switch level of the second stage, providing an output signal at an output terminal thereof if the switch level of the second stage is greater than the constant switch level and decreasing the switch level of the second inverter stage by an additional circuit element (connected in series with the second inverter wherein a defined output being produced **irrespective** of the open circuit condition of an input pad), nor would it have been obvious to one of ordinary skill in the art to do so.

In regards to claim 2, the prior art discloses of a fail-safe circuit comprising a first inverter stage, a second inverter stage and additional circuitry connected in series with the second inverter for decreasing the switch level of the second inverter stage, however, the prior art does not directly disclose of the circuit defining an output signal **irrespective** of an open circuit condition of the input pad, nor would it have been obvious to one of ordinary skill in the art to do so. Claims 3-10 are also allowed as being dependent on claim 2.

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In regards to claim 11, the prior art discloses of a digital circuit comprising a pull-up stage and a fail-safe stage comprising a first inverter stage, a second inverter stage and additional circuitry connected in series with the second inverter for decreasing the switch level of the second inverter stage, however, the prior art does not directly disclose of the fail-safe stage circuit defining an output signal **irrespective of an open circuit condition of the input pad**, nor would it have been obvious to one of ordinary skill in the art to do so.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Crawford whose telephone number is 571-272-6004. The examiner can normally be reached on Monday - Friday 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rex Barnie can be reached on 571-272-7492. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMC


REXFORD BARNIE
SUPERVISORY PATENT EXAMINER